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November 9, 2016

VIA ECF & FEDEX

The Honorable Cathy L. Waldor, U.S.M.J.
 United States District Court
 Martin Luther King, Jr. Federal Bldg. & U.S. Courthouse
 50 Walnut Street
 Newark, New Jersey 07101

Re: *Rhodes Pharmaceuticals L.P. v. Actavis, Inc., et al.*
Civil Action No. 16-1668 (WHW) (CLW)

Dear Judge Waldor:

This firm, together with Steptoe & Johnson LLP, represents plaintiff Rhodes Pharmaceuticals L.P. ("Rhodes") in the above-captioned matter.

We write to respectfully request a brief extension of certain deadlines in the Court's Amended Scheduling Order (D.I. 43) due to the parties' extended negotiations on the Discovery Confidentiality Order and scheduling conflicts for Rhodes's counsel leading up to the current deadline for Rhodes's service of infringement contentions and responses to invalidity contentions. We have conferred with counsel for Actavis, and Actavis has consented to the following revised schedule:

Event	Current Date (D.I. 43)	Proposed Amended Date
Infringement contentions and accompanying document production served (L. Pat. R. 3.6(g)-(h))	November 18, 2016	December 7, 2016
Responses to invalidity contentions served (L. Pat. R. 3.6(i))	November 18, 2016	December 7, 2016
Parties exchange lists of claim terms for construction (L. Pat. R. 4.1(a))	December 2, 2016	December 21, 2016
Parties exchange preliminary proposed claim construction and identify supporting intrinsic and extrinsic evidence (including identification of witness testimony and summary of expert opinions in support of claim construction) (L. Pat. R. 4.2(a)-(b))	December 21, 2016	January 13, 2017

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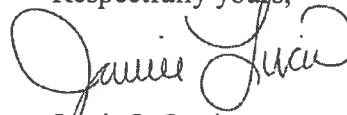
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Event	Current Date (D.I. 43)	Proposed Amended Date
Parties identify responsive intrinsic and extrinsic evidence (L. Pat. R. 4.2(c))	January 11, 2017	January 27, 2017
Joint claim construction and prehearing statement filed (L. Pat. R. 4.3)	January 20, 2017	February 8, 2017
Completion of claim construction discovery other than expert witness depositions (L. Pat. R. 4.4)	February 13, 2017	February 24, 2017
Simultaneous Opening <i>Markman</i> briefs filed (L. Pat. R. 4.5(a))	February 28, 2017	March 14, 2017
Completion of discovery from experts who submitted declaration with opening <i>Markman</i> brief (L. Pat. R. 4.5(b))	March 29, 2017	April 12, 2017
Simultaneous Responsive <i>Markman</i> briefs filed (L. Pat. R. 4.5(c))	April 21, 2017	May 5, 2017
Joint proposal of schedule for <i>Markman</i> hearing (L. Pat. R. 4.6)	April 28, 2017	May 12, 2017
<i>Markman</i> hearing	TBD (May/June 2017 subject to Court's availability)	TBD (June 2017 subject to Court's availability)

All other dates in the Court's Amended Scheduling Order will remain unchanged. If this meets with Your Honor's approval, we respectfully request that Your Honor sign the below form of endorsement and have it entered on the docket.

Thank you for Your Honor's kind attention to this matter.


Respectfully yours,



Jamie L. Lucia

cc: All Counsel (via e-mail)

SO ORDERED:



Hon. Cathy L. Waldor, U.S.M.J.
11/10/16